

**PUBLIC MEETING**  
**August 28, 2001**

Vice-Chairman Mike Murray called the meeting to order at 9:00 a.m. Commissioners Loendorf and Varone were absent attending a 9-1-1 Expansion Conference. Others attending all or a portion of the meeting included Sharon Haugen, Jerry Grebenc, Frank Rives, and Carole Byrnes.

Commissioner Murray explained to the audience that the Commission is without a quorum today, but will take any testimony that the public wishes to offer. A typed transcript of today's meeting will be prepared for the other Commissioners.

Minutes. January 4, 2000, March 15, 20, 27, 22, April 10, 12, June 5, 14, 27, 2001. Tabled to Thursday, August 30, 2001.

Steering Committee Recommendation for a Radio Consultant at the Sheriff's Office. Tabled to Thursday, August 30, 2001.

Proposed Subdivision, Summary Review to be Known as Richland Towers No. 2 Minor. (cont. from 8/7&10/01). The Commissioners will consider creating one space for lease for a communication tower site (100'x100'). The tract would be developed for one space for lease for a 190-foot high, self-supported communication tower. The lease space would be enclosed by a six-foot high, chain link security fence. The parcel is currently developed with a single family home, an on-site water well, an on-site wastewater treatment system and utilities. No services would be required for this development. Access to the lease parcel would be from Interstate 15, connection to the South Recreation Road and then via an existing jeep trail. Road construction and an approach permit would be required to access the site. The proposal is located in the SE1/4 of Section 21, T14N, R4W; generally located south of Wolf Creek and east of Frontage Road.

Hearing no public comment, this item will be tabled to September 4, 2001.

Proposed Subdivision, Summary Review to be Known as Richland Towers No. 3 Minor. (cont. from 8/7/01). The Commissioners will consider creating one space for lease that would be 400'x400' for the construction of a 250 foot tall cellular communication tower with three guy wires for support. Improvements within the lease space would consist of four 12-foot by 12-foot "telecom shelters and one 8-foot by 12-foot "telecom shelter." According to the applicant, the telecom shelters would be similar in nature to utility boxes such as those used for electrical and telephone and would be approximately 4-feet in height. The lease space would be enclosed by a six-foot high, chain link security fence. The anchors for the three guy wires would be located outside of the 400-foot by 400-foot lease site and fenced with 4-foot high chain link security fence. Access to the lease space is proposed to be via an access road from the Frontage Road. The proposal is located in the NW1/4 of Section 28, T15N, R3W; generally located east of the Craig Frontage Road approximately 4 miles south of Craig.

Jerry Grebenc reported that the applicant submitted a letter requesting an extension of the review period and to reschedule the public hearing.

Jeff Levert, G.M. Selby & Associates, 1550 Harrison Avenue, Butte, requested that the hearing be rescheduled to September 28 and the review period be extended to October 5 to allow the applicants time to re-evaluate the site and work with some of the adjacent landowners.

Commissioner Murray stated that Commission will be in Glendive the week of September 24 attending the MACo fall conference and no public meetings will be conducted.

Sharon Haugen suggested that it may be possible for the Commission to hear the proposal on October 2<sup>nd</sup> or the 4<sup>th</sup>.

Attorney, Harley Harris, Luxan & Murfitt, representing Ralph and Ann Marie Peters. Mr. Harris stated that his clients will not be present on October 2 or 4 and suggested a meeting with the applicant to come up with a mutually convenient date.

Commissioner Murray reminded the applicants that the statutory deadline is October 5. It is the intent of the BoCC to hear the Richland Towers proposals on the same date.

Proposed Minor Subdivision, Preliminary Plat to be Know as Deerfield Acres. The applicant proposes to create one 27.66-acre tract and one ten-acre tract. The applicant proposes to subdivide the parcel to provide the ten-acre tract for the Rocky Mountain Church of Christ. The ten-acre tract would be a non-residential subdivision and subject to review under the non-residential subdivision regulations. The ten-acre tract would be served by an individual on-site wastewater treatment system and utilities. The 27.66-acre tract has a single-family residence, an individual wastewater treatment system and utilities, and it may be further subdivided in the future. Access to the lots would be from Colonial Drive Extension and Deerfield Lane. The proposal is in the NW1/4 of Section 3, T9N, R3W and generally located on Colonial Drive, southeast of Hunters Point.

Hearing no public comment, the public hearing will be continued to Tuesday, September 4, 2001.

Proposed Minor Subdivision, Preliminary Plat to be Known as Birdseye View. The applicant proposes to create five lots, each for one single-family dwelling. All lots would be served by a shared well, individual on-site wastewater treatment systems and utilities. Access to the lots would be from the proposed Meadowlark Lane connecting to Birdseye Road. Road construction would be required to provide standard physical access. The proposal is in the SE1/4 of Section 31, T11N, R4W; and generally located 6 miles west of Helena between the intersection of Birdseye Road and Austin Road.

Jerry Grebenc reported that the applicant would be present Thursday, August 30.

The public hearing will be continued to Thursday, August 30, 2001.

Peggy Benkelman, 5030 Hidden Valley Drive stated that many of the residents in the area have expressed a number of concerns as follows: (1) they would like to maintain the natural character and the openness of the area; (2) the closeness of the homes do not follow the character of the area; (3) water usage--several wells in the area have problems and low water levels; (4) septic; (5) noise; (6) traffic--Birdseye Road is a poorly maintained road and traffic will increase; (7) quality of the homes--the residents would prefer no more trailers, small homes, manufactured homes; (8) covenants in the area. Ms. Benkelman also asked who performs the perc tests and she would like to see the phosphate and nitrate breakdown.

Jerry Grebenc stated water is a concern in the Birdseye area. The decision as to whether or not the well will be adequate is up to the City-County Health Department and DEQ. Staff has recommended that the well be drilled as part of preliminary plat approval to insure adequate water supply on site. Perc tests are performed by the applicant and/or its representative and the data is submitted to the City-County Health Department. The Health Department does all the site work.

Hearing no further testimony, the hearing is continued to Thursday, August 30 at 9:00 a.m.

Health Department Contract Renewal. The Subdivision Review contract from DEQ is tabled to Thursday, August 30.

Other business.

David Lemm, 55 West 14th Street asked when the Petition to Abandon a portion of the Michelle Drive right-of-way is scheduled?

Staff stated this is scheduled for Thursday, August 30.

There being no other business, the meeting adjourned at 9:20 a.m.